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Item Number: 336

Addendum StartPage: 0

SOAH DOCKET NO. 473-21-0538

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APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE
ELECTRIC POWER COMPANY FOR §
AUTHORITY TO CHANGE RATES § ADMINISTRATIVE HEARINGS

**SOUTHWESTERN ELECTRIC POWER COMPANY'S FIRST SET OF REQUESTS
FOR INFORMATION TO SIERRA CLUB**

Southwestern Electric Power Company (SWEPCO or Company) requests that Sierra Club provide the following information and answer the following questions under oath within the time provided by Public Utility Commission of Texas (Commission) rules and/or applicable orders, or sooner if practicable. The answers should be provided in sufficient detail to present all relevant facts. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. For each response, please state the Request for Information and identify the individuals responsible for preparing and sponsoring the response by name and title.

For any responses that require the use of or reference to information previously provided by the Company in this case that has been designated "Confidential" or "Highly Sensitive" material, please provide responses in accordance with the terms of the Protective Order and the Commission's Rules relating to "Confidential" and "Highly Sensitive" materials. *See* 16 Tex. Admin. Code (TAC) § 22.142.

These requests are deemed to be continuing in nature and require further and supplemental responses from a party if it receives or generates additional information within the scope of these data requests between the time of the original responses and the time of the hearing in this proceeding.

This is a request to fully respond to the attached RFIs and to produce any of the designated documents or tangible things that are described in the attached RFIs. Production of responses to the designated Requests should be made to each of the persons below and emailed to aepaustintx@aep.com:

Stacy Bankston-Pankratz
Regulatory Case Manager
American Electric Power Service Corporation
400 West 15th Street, Suite 1520
Austin, Texas 78701
Telephone: (214) 777-1081
Facsimile: (512) 481-4591
Email: slbankston@aep.com
aepaustintx@aep.com (Service)

Melissa Gage
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William Coe
Kerry McGrath
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Email: wcoe@dwmlaw.com
kmcgrath@dwmlaw.com
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Instructions & Definitions

1. A reference to “SWEPCO” or the “Company” shall mean Southwestern Electric Power Company.
2. The term “Commission” refers to the Public Utility Commission of Texas.
3. Reference to “you” or “your” means all divisions, departments, bureaus, or agencies of the party served, and all witnesses whose testimony the respective party to which this Request is submitted intends to present to the Public Utility Commission of Texas, and all persons acting or purporting to act for or on behalf of the respective party, including all staff, employees, agents, representatives, attorneys, consultants, economists, engineers, and accountants.
4. “Document” or “documents” is intended to be comprehensive and shall mean every original (or an identical copy if the original is unavailable) and every copy which differs in any way from the original of every writing, recording (e.g., photograph, videotape, audiotape), or other tangible expression, whether handwritten, typed, drawn, sketched, printed, or recorded by any physical, mechanical, electronic, or electrical means whatsoever, and shall be construed to the fullest extent of the Commission’s Procedural Rules and the Texas Rules of Civil Procedure, and shall include, without limitation all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants’ reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used

in data processing) and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made.

5. "Person" means any natural person, firm, association, partnership, joint venture, corporation, estate, trust, receiver, syndicate, municipal corporation, governmental agency, any other form of legal entity, and other group or combination acting as a unit.
6. "Relating to" a subject means making a statement about, mentioning, referring to, discussing, describing, reflecting, identifying, dealing with, consisting of, constituting or in any way pertaining, in whole or in part, to the subject.
7. The words "communication" or "communications" include any verbal conversations or any other statement from one person to another, including but not limited to, any interview, conference, conversation, discussion, meeting or telephone conversation.
8. "Identify" means:
 - a. as to a "person," stating his, her or its:
 - (i) legal, full and customarily used names;
 - (ii) present residential or business address;
 - (iii) job title; and
 - (iv) name of employer.
 - b. as to a document, act, event, transaction or occurrence, stating:
 - (i) its date, authors or participants;
 - (ii) the place where it took place, was created or occurred;
 - (iii) its purpose and subject matter; and
 - (iv) a concise description of what transpired.
9. "Including" means and refers to "including but not limited to."
10. Use of the singular or plural word form in a request is not to be interpreted to exclude information or documents from the scope or intent of the specific request.
11. For each response, please restate the RFI and identify the individual(s) responsible for preparing and sponsoring the response by name and title.
12. For each document produced that is generated by computer, please identify:
 - a. the nature and source of the data constituting the input;
 - b. the form of the input (*e.g.*, tapes, punch cards);

- c. the recording system employed (*e.g.*, program, flow charts); and
 - d. the person(s) responsible for processing the input and/or performing the programming.
- 13. If the response to any request is voluminous, please provide a detailed index of the voluminous material, pursuant to 16 TAC § 22.144(h)(4).
- 14. If the information requested was included in previously furnished exhibits, schedules, work papers, responses to other discovery inquiries, or otherwise, in hard copy or electronic format, please furnish specific references to the previously furnished materials, including Bates Stamp page citations and detailed cross-references.
- 15. If, in answering any of these requests, there is any ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact SWEPCO's attorney, Patrick Pearsall at (512) 744-9300, extension 1832.
- 16. If an RFI calls for production of a document that was, but is no longer, in your possession, or subject to your control, or in existence, state whether it:
 - a. is missing or lost;
 - b. has been destroyed;
 - c. has been transferred, voluntarily or involuntarily to others; or
 - d. has been otherwise disposed of; and in each instance, explain the facts concerning how the document became unavailable; state the date or approximate date of the unavailability; the contents of the document; and the person who authorized the transfer, destruction or other disposition of said document. Documents prepared prior to, but which relate to or refer to, the time period covered by these RFIs are to be identified.
- 17. If you decline to respond to any request for information or data on the basis of privilege, please state as to each such request an explanation for the refusal. Identify those documents and communications that are withheld from the response to each specific data request. The identification shall be served within the time specified by the presiding examiner for this proceeding and in accordance with the Rules of the Commission, and shall:
 - a. specify the date of the document, its author(s) (with title and designation if an attorney), and recipients (with title and designation if an attorney);
 - b. contain a brief summary of the subject matter of the document; and

- c. contain a brief statement of the reason that, in your opinion, the assertion of privilege is justified.

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SWEPCO 1-1. Refer to the following sentence on page 13, line 16 of Devi Glick's direct testimony: "These are low capacity factors for plants with such high fixed costs." Please provide all reports used to compare the average capacity factors and fixed costs of generating units. Please indicate all specific generating units/plants/facilities that were compared to the Welsh and Flint Creek units.

SWEPCO 1-2. Refer to the paragraph beginning on page 18, line 1 of Devi Glick's direct testimony. "I add the capital expenditure costs to the fuel and O&M costs to get total unit costs." Please identify and provide all testimonies in which Ms. Glick has included capital expenditures in her calculation of total unit costs.

Respectfully submitted,

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DUGGINS WREN MANN & ROMERO, LLP

By: _____

Patrick Pearsall

**ATTORNEYS FOR SOUTHWESTERN
ELECTRIC POWER COMPANY**

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on April 5, 2021, in accordance with the Second Order Suspending Rules issued in Project No. 50664.



Patrick Pearsall